Remarks

Claims 1, 3-7 and 10-18 are pending in the application. Claims 1, 4-7, and 10-18 stand rejected. By this paper, all claims are amended commensurate with the scope of the invention. Reconsideration of all claims and entry of the amendments is respectfully requested.

Section 112

Claims 1, 4-7, and 10-18 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claim 1 is amended herein to remove the limitation of "logic for converting".

Claims 1, 4-7, and 10-18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Office Action states that the limitation of "logic for converting" is vague because there is no adequate written description. The limitation of "logic for converting" is removed.

Claims 4-7 and 10-18 are amended herein to recite "The system" rather than "A system."

The Applicants believe that the noted amendments are sufficient to comply with the requirements of 35 U.S.C. § 112. These amendments do not raise new issues for consideration. The limitation of "logic for converting" was introduced by amendment after substantive examination of the claims. The remaining amendments are directed to form rather than substance. Entry of the amendments is respectfully requested.

<u>Section 103</u>

Claims 1, 4-7, and 10-18 stand rejected under 35 U.S.C. § 103(a) as being
unpatentable over Kahani, WWWCopy™ Version 1.1 ("Kahani"), in view of Inside the
Internet, "Create Self-Extracting ZIP Files with WinZip 6.3", ProQuest Computing, 5-
2000 ("Inside the Internet").

Inside the Internet is not a prior art reference. The pending application claims
priority to U.S. Patent Application Serial No. 60/177,585 filed on January 23, 2000
("the '585 application"). The pending application was timely filed with a priority claim
to the '585 application. Under 35 U.S.C. § 119(e)(1), the pending application is
entitled to the filing date of January 23, 2000. Inside the Internet was published on
May 2000 and therefore does not constitute prior art under § 103(a). Withdrawal of
this reference from consideration is respectfully requested.

The amendments to claim 1 do not introduce new subject matter and are
primarily directed to remove limitations introduced by amendments after substantive
examination. The amendments do not raise new issues as the remaining claim
language has already been considered. Entry of the amendments is respectfully
requested.

Claim 1 recites a self-extracting auto-migration package built by said console
and that the self-extracting auto-migration package further comprising files and
settings for migration. Kahani has no teaching or discussion of a console that builds
a self-extracting auto-migration package. The Office Action agrees that Kahani does
not teach self-extracting. Page 6, Office Action of December 2, 2005. Indeed,
Kahani does not even teach a compressed migration package. The only reference to

a compressed file is given in 3.1 of Kahani which teaches that WWWCopy may be installed by unzipping WWWCopy.zip to the appropriate directory. WWWCopy is the application that downloads the links to a hard disk. 1 of Kahani. WWWCopy "creates a file name WWWCopy.ini in the same directory to store the list of recent URLS, and preferences." 3.4 of Kahani.

Accordingly, WWWCopy does not create a compressed or zip file for download. Rather, WWWCopy creates an ini file to receive URLS. Unzipping the application that performs the download does not teach or fairly suggest a console building a self-extracting package that then migrates from one computer to another. Kahani has absolutely no disclosure of compressing, extracting, or self-extracting the ini file or the URLS. Claim 1 does not recite compression or extraction of the console or the application interface. Rather, claim 1 recites a self extracting package that is built by the console. Compression and extraction of the downloaded files themselves is not taught in Kahani. Reconsideration is respectfully requested.

Depending claims 4-7 and 10-18 represent patentable subject matter by their dependency on claim 1. Claims 4-7 and 10-18 further include limitations such as an executable program that scans, an edit function, a filter, self-executing file, editable by a user, password protected, data compression, operating system conversion capability, disk space verification, text description capability, options for handling duplicate files, unattended installation of files, and user defined profiles. The Office Action relies on Inside the Internet for the limitations of claims 4-7 and 10-17. As Inside the Internet does not constitute a valid prior art reference, these claims include additional patentable subject matter.
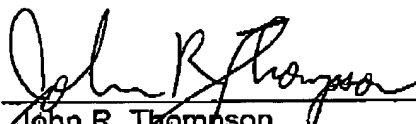
Claim 3

The Office Action stated that claim 3 contains allowable subject matter. Claim 3 is amended herein to remove limitations introduced by an amendment after substantive examination. The amendment does not raise new issues as the remaining claim language has already been considered. In the Office Action of April 20, 2004, claim 3, as amended herein, was rejected under 35 U.S.C. § 102(a) as being anticipated by Inside the Internet. As discussed, Inside the Internet cannot anticipate the pending claims.

In view of the foregoing, all pending claims represent patentable subject matter. The examiner is invited to call the Applicants' representative if any issue remains that may be resolved by telephone. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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